

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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TIMOTHY MORGAN, Individually and on behalf of all	)	
others similarly situated,	)	Civil Action 1:03 cv 12529 JLT

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,  
DOUGLAS G. BRYANT and LAWRENCE A.  
GENOVESI,

Defendants.

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EDWIN POWELL MILLER, Individually and On behalf	)	
of all others similarly situated,	)	Civil Action 1:04 cv 10022 JLT

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,  
DOUGLAS G. BRYANT and LAWRENCE A.  
GENOVESI,

Defendants.

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Additional Captions to Follow

**[PROPOSED] ORDER CONSOLIDATING THE ACTIONS, APPOINTING LEAD  
PLAINTIFF AND APPROVING SELECTION OF LEAD AND LIAISON COUNSEL**

DAVID DUBROW, Individually and on behalf of all  
others Similarly Situated,

Plaintiff,

V.

NETWORK ENGINES, INC., JOHN CURTIS,  
DOUGLAS G. BRYANT and LAWRENCE A.  
GENOVESI,

Defendants.

KEVIN DENHA, Individually and On behalf of all  
others similarly situated,

Plaintiff,

V.

NETWORK ENGINES, INC., JOHN CURTIS,  
DOUGLAS G. BRYANT and LAWRENCE A.  
GENOVESI,

Defendants.

WING KAM YU, on behalf of himself and all others  
similarly situated,

Plaintiff,

V.

NETWORK ENGINES, JOHN CURTIS and  
DOUGLAS G. BRYANT,

Defendants.

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HERBERT A. REITZEL, on behalf of himself and others  
similarly situated,

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,  
DOUGLAS G. BRYANT and LAWRENCE A.  
GENOVESI,

Defendants.

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) Civil Action 1:04 cv 10288 JLT  
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Having considered the motion of Sergio and Ricardo Guerrero, Donald Drew and Thomas W. Jackson (the “Guerrera Group”) for Consolidation, Appointment As Lead Plaintiff And Approval Of Selection of Lead and Liaison Counsel and the Memorandum of Law and Declaration of Theodore M. Hess-Mahan, in support thereof, and good cause appearing therefor:

1. The Actions are hereby consolidated;
2. The Guerrero Group is hereby appointed Lead Plaintiff for the Class pursuant to Section 21D of the Securities Exchange Act of 1934; and
3. The law firm of Cauley Geller Bowman & Rudman, LLP is hereby appointed Lead Counsel and the law firm of Shapiro, Haber & Urmy is hereby appointed Liaison Counsel.

SO ORDERED THIS \_\_\_\_ day of \_\_\_\_\_, 2004.

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U.S. District Judge